



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: CEFALI, EUGENIO
Serial No.: 08/960,557
Filing Date: 31 October 1997
Docket Number: 50454-56103USCIP
Title: METHODS FOR TREATING HYPERLIPIDEMIA WITH
INTERMEDIATE RELEASE NICOTINIC ACID COMPOSITIONS
HAVING UNIQUE BIOPHARMACEUTICAL CHARACTERISTICS

COMMISSIONER FOR PATENTS

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

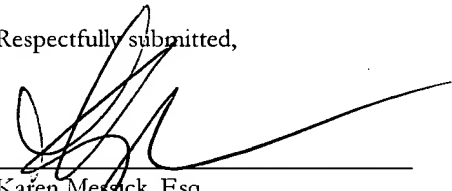
Applicants and their attorney are aware of the following publications and information, listed on the attached PTO Form 1449, and in accordance with 37 CFR §1.97(c) hereby submit these publications for the Examiner's consideration. This Statement is being filed after the first Official Action under 37 CFR §1.97(c)(2). Please charge our deposit account number 50-2543 the amount of \$180.00 as specified in 37 CFR § 1.17(p). A full copy of each cited publication is enclosed.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicant understands the Examiner will make an independent evaluation of the cited publications. No additional costs are believed to be due in connection with the filing of this disclosure. However, please charge any necessary fees to our Deposit Account No. 12-0448. For this purpose we enclose a duplicate copy of this document.

10/23/2003 EFLORES 00000127 502543 08960557

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Respectfully submitted,


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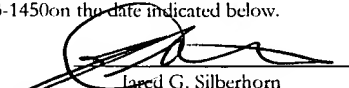
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CERTIFICATION UNDER 37 C.F.R., §1.8

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Jared G. Silberhorn



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	08/960557	
			Filing Date	10/31/1997	
			First Named Inventor	Cefali	
			Group Art Unit		
			Examiner Name		
Sheet	1	of	1	Attorney Docket Number	50454-56103USCIP

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	Dialog File 226: Trademarkscan(r)-US FED: Accession number 73/838497	
	2	McCarthy on Patents, Sec. 19.110	
	3	199 U.S.P.Q. 824 (Endo Laboratories, Inc. v. Fredericks, 08/18/1978)	
	4	KEENAN, et al., "A Clinical Trial of Oat Bran and Niacin in the Treatment of Hyperlipidemia", Jour. Fam. Prac., 34:3, 313-317 (1992)	
	5	KNOPP, et al., "Contrasting Effects of Unmodified and Time-Release forms of Niacin on Lipoproteins in Hyperlipidemic Subjects: Clues to Mechanism of Action of Niacin", Metabolism, 34:7, 642-650 (1985)	
	6	Letter to Applicant from U.S. Department of Health and Human Services dated 07/28/1997	

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Examiner Signature		Date Considered	
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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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